

**NAGEL RICE, LLP**

COUNSELLORS AT LAW

103 EISENHOWER PARKWAY  
ROSELAND, NEW JERSEY 07068

(973) 618-0400

FAX: (973) 618-8194

www.nagelrice.com

PLEASE REPLY TO  
ROSELAND OFFICE

230 PARK AVENUE  
NEW YORK, NY 10168  
(212) 551-1485

COUNSEL

HERBERT L. WALDMAN\*

LORI L. MAYER\*

RANDEE M. MATLOFF

ELLIOTT LOUIS PELL\*

ANDREW L. O'CONNOR

GREG M. KOHN\*

MICHAEL R. FELDMAN

\*CERTIFIED BY THE SUPREME COURT OF  
NEW JERSEY AS A CIVIL TRIAL ATTORNEY  
\*CERTIFIED BY THE SUPREME COURT OF  
NEW JERSEY AS A CRIMINAL TRIAL ATTORNEY

BRUCE H. NAGEL\*  
JAY J. RICE\*  
ROBERT H. SOLOMON  
BARRY M. PACKIN  
DIANE E. SAMMONS\*

HARRY A. MARGOLIS  
(928-2002)

119 MAPLE AVENUE  
RED BANK, NJ 07701  
(732) 933-0900

\*MEMBER OF N.J. & N.Y. BARS

December 1, 2009

(Via Facsimile 609-989-0435)

The Honorable Tonianne J. Bongiovanni  
United States Magistrate Judge  
Room 6052  
Clarkson S. Fischer Federal Building & US Courthouse  
402 E. State Street  
Trenton, New Jersey 08608

RECEIVED

DEC - 1 2009

AT 8:30  
WILLIAM T. WALSH  
CLERK

Re: **Scottsdale Insurance Company**  
**v. Somerville Fidelco Associates, LP and Badger Roofing Company Inc.**  
**Civil Action No. 3:07-cv-02763(AET)(TJB)**

Dear Judge Bongiovanni:

The undersigned represents Somerville Fidelco Associates, LP in the above referenced matter. Pursuant to my telephone conversation with Your Honors chambers, please allow this correspondence to serve as my request to obtain leave to file a brief in excess of the 30-page limit imposed by L. Civ. R. 7.2.

We are in the process of preparing opposition papers in response to three separate motions for summary judgment filed by three different insurance carriers who are parties to this litigation. In each case the insurer contends that they had no obligation to provide insurance coverage to Somerville Fidelco Associates, LP and/or Badger Roofing. Rather than burdening the Court with three separate briefs containing duplicative material regarding the legal standard, procedural posture of this case and factual summary, the undersigned intends to present one brief. We will of course provide a separate counter-statement of material facts responding to each movant's papers.

Consequently, we ask for permission to file a brief not exceeding 60 pages in length, rather than filing 3 separate briefs, which could total 90 pages without permission from the Court. *Granted*

I have obtained consent to exceed the page limit from counsel for each of the movants.

So Ordered this 1 day  
of December, 2009

